

AMENDMENT TO H.R. 3524
OFFERED BY Mr. Meijer

At the appropriate place in the bill, insert the following:

1 **SEC. ____.** **REPORT ON MANNER AND EXTENT TO WHICH**
2 **THE GOVERNMENT OF CHINA EXPLOITS**
3 **HONG KONG TO CIRCUMVENT UNITED**
4 **STATES LAWS AND PROTECTIONS.**

5 Title III of the United States-Hong Kong Policy Act
6 of 1992 (22 U.S.C. 5731 et seq.) is amended by adding
7 at the end the following:

8 **"SEC. 303.** **REPORT ON MANNER AND EXTENT TO WHICH**
9 **THE GOVERNMENT OF CHINA EXPLOITS**
10 **HONG KONG TO CIRCUMVENT UNITED**
11 **STATES LAWS AND PROTECTIONS.**

12 “(a) IN GENERAL.—Not later than 180 days after
13 the date of the enactment of this section, the Secretary
14 of State shall submit to the appropriate congressional
15 committees a report on the manner and extent to which
16 the Government of China uses the status of Hong Kong
17 to circumvent the laws and protections of the United
18 States.

1 “(b) ELEMENTS.—The report required by subsection
2 (a) shall include the following:

3 “(1) In consultation with the Secretary of Com-
4 merce, the Secretary of Homeland Security, and the
5 Director of National Intelligence—

6 “(A) an assessment of how the Govern-
7 ment of China uses Hong Kong to circumvent
8 United States export controls; and

9 “(B) a list of all significant incidents in
10 which the Government of China used Hong
11 Kong to circumvent such controls during the re-
12 porting period.

13 “(2) In consultation with the Secretary of the
14 Treasury and the Secretary of Commerce—

15 “(A) an assessment of how the Govern-
16 ment of China uses Hong Kong to circumvent
17 duties on merchandise exported to the United
18 States from the People’s Republic of China; and

19 “(B) a list of all significant incidents in
20 which the Government of China used Hong
21 Kong to circumvent such duties during the re-
22 porting period.

23 “(3) In consultation with the Secretary of the
24 Treasury, the Secretary of Homeland Security, and
25 the Director of National Intelligence—

1 “(A) an assessment of how the Govern-
2 ment of China uses Hong Kong to circumvent
3 sanctions imposed by the United States or pur-
4 suant to multilateral regimes; and

5 “(B) a list of all significant incidents in
6 which the Government of China used Hong
7 Kong to circumvent such sanctions during the
8 reporting period.

9 “(4) In consultation with the Secretary of
10 Homeland Security and the Director of National In-
11 telligence, an assessment of how the Government of
12 China uses formal or informal means to extradite or
13 coercively move individuals, including United States
14 persons, from Hong Kong to the People’s Republic
15 of China.

16 “(5) In consultation with the Secretary of De-
17 fense, the Director of National Intelligence, and the
18 Director of Homeland Security—

19 “(A) an assessment of how the intelligence,
20 security, and law enforcement agencies of the
21 Government of China, including the Ministry of
22 State Security, the Ministry of Public Security,
23 and the People’s Armed Police, use the Hong
24 Kong Security Bureau and other security agen-
25 cies in Hong Kong to conduct espionage on for-

1 eign nationals, including United States persons,
2 conduct influence operations, or violate civil lib-
3 erties guaranteed under the laws of Hong
4 Kong; and

5 “(B) a list of all significant incidents of
6 such espionage, influence operations, or viola-
7 tions of civil liberties during the reporting pe-
8 riod.

9 “(c) FORM OF REPORT; AVAILABILITY.—

10 “(1) FORM.—The report required by subsection
11 (a) shall be submitted in unclassified form, but may
12 include a classified index.

13 “(2) AVAILABILITY.—The unclassified portion
14 of the report required by subsection (a) shall be
15 posted on a publicly available internet website of the
16 Department of State.

17 “(d) DEFINITIONS.—In this section:

18 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
19 TEES.—The term ‘appropriate congressional com-
20 mittees’ means—

21 “(A) the Committee on Foreign Relations,
22 the Committee on Banking, Housing, and
23 Urban Affairs, the Committee on Finance, and
24 the Select Committee on Intelligence of the
25 Senate; and

1 “(B) the Committee on Foreign Affairs,
2 the Committee on Financial Services, the Per-
3 manent Select Committee on Intelligence, and
4 the Committee on Ways and Means of the
5 House of Representatives.

6 “(2) FOREIGN NATIONAL.—The term ‘foreign
7 national’ means a person that is neither—

8 “(A) an individual who is a citizen or na-
9 tional of the People’s Republic of China; or

10 “(B) an entity organized under the laws of
11 the People’s Republic of China or of a jurisdic-
12 tion within the People’s Republic of China.

13 “(3) REPORTING PERIOD.—The term ‘reporting
14 period’ means the 5-year period preceding submis-
15 sion of the report required by subsection (a).

16 “(4) UNITED STATES PERSON.—The term
17 ‘United States person’ means—

18 “(A) a United States citizen or an alien
19 lawfully admitted for permanent residence to
20 the United States; or

21 “(B) an entity organized under the laws of
22 the United States or of any jurisdiction within
23 the United States, including a foreign branch of
24 such an entity.”.

